

ARGUMENT

Claims 1, 2-4, 11-40 and 44-50 remain pending in the application. Independent Claims 1 and 40 have been amended. New independent Claim 51 has been added.

The Examiner rejected both independent claims, namely Claims 1 and 40, under 35 U.S.C. 102(b) as being anticipated by Broussard (USP 1,989679) (hereinafter, “Brou”). Applicant traverses this rejection on the grounds that the reference does not show each and every element of the limitations set forth in Applicant’s claims.

The Applicant’s assertions previously presented in the Office Action Response filed October 17, 2005 are re-asserted herein and incorporated by reference hereto. The Examiner is respectfully requested to reconsider those assertions in light of the amendments and additional remarks below.

Brou teaches a “casing head”. The meaning of “casing head” in the industry is well known, moreover, it is a device that is positioned on the earth’s surface, at the top of a wellbore, and performs functions such as controlling pressure within a wellbore and securing the ends uppermost ends of tubing. In Brou, the clamping plates or jaws 22, 25 used to clamp outer casing 19 and inner tubing 20 are all part of the casing head and inherently positioned above the surface. Applicant further notes that nowhere in Brou is the outer casing 19 shown engaging the inner tubing 20.

In the November 11, 2005 Office Action, the Examiner noted several of Applicant’s assertions from the October 17, 2005, and acknowledged that the limitations asserted were not shown in Brou, but went on to note that the limitations asserted where not recited in the claims. Applicant has amended the claims to include the asserted limitations. Applicant’s amendments clarify that (i) the clamping device is located in the wellbore below the casing top or head, (ii) the peripheral member is located only between the two ends of both tubular members.

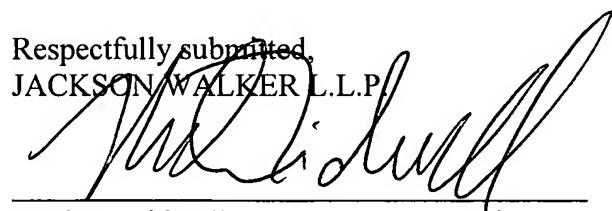
Claim 40 has also been amended to clarify that the outer tubular member contacts the inner tubular member (New Claim 51 also includes a similar recitation.) The Examiner has stated that a force applied to a larger tubular member by a claming device would “inherently” decrease the inner diameter to a point where the larger tubular member would engage the smaller tubular member as the screw bolts are tightened inward to their fullest extent. To the extent the Examiner maintains this

rejection, the Examiner is respectfully requested to provide a basis as to how such a limitation is inherent in Brou. Rather, Applicant respectfully requests the Examiner to reconsider this position. Simply put, this limitation is not shown in Brou and as such, Brou cannot be said to anticipate the limitation under 35 U.S.C. 102(b). Moreover, nothing in Brou suggests that the outer pipe could be constricted to a point where the inner pipe is engaged by the outer pipe, or more specifically utilizing an elongated outer tube to clamp an elongated inner tube. The clamping device of Brou is clearly the jaws 22, 50. Brou teaches a separate set of jaws 22, 50 for each tubular section (inner tubing 20 is clamped by jaws 22, 50—Figs. 3, 13—while outer casing 19 is clamped by a separate set of jaws 22—Fig 4.) By teaching a separate clamp for each tubular member, Brou teaches away from utilizing a single clamp to engage two separate tubular sections, much less as claimed by Applicant.

Based on the foregoing, the Examiner is respectfully requested to withdraw the rejections of independent Claims 1 and 40 and pass these claims to allowance. Likewise, since each independent claim is allowable, the Examiner is respectfully requested to pass all dependent claims to allowance as well.

If the Examiner feels that a telephone conference with the undersigned would be helpful to the allowance of this application, a telephone conference is respectfully requested.

Respectfully submitted,
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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service, with sufficient postage as First Class Mail (37 CFR 1.8(a)), in an envelope addressed to Mail Stop Response/NO FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

Date: February 27, 2006



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